

Jay Zischke, 4/17/2006

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF WASHINGTON
3 AT SEATTLE

4)
5 UNITED STATES OF AMERICA,)
6 et al.,)
7) No. C70-9213
8) Subproceeding No. 01-1
9) (Culverts)
10)
11)
12) DEPOSITION UPON ORAL EXAMINATION
13) OF
14) JAY ZISCHKE

15
16 8:55 a.m.
17
18 April 17, 2006
19 900 Fourth Avenue 2000
20 Seattle, Washington 98164
21
22 JACQUELINE L. BELLows
23 CCR 2297
24
25

Van Pelt, Corbett, Bellows
206-682-9339

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1 the recovery document.

2 So my characterization is it's -- there's a
3 requirement, but these particular entities that produced
4 it -- in this case Kitsap County is the lead entity for
5 a certain geography -- they were submitting it
6 voluntarily into a larger document that was then
7 submitted to NOAA for approval.

8 Q Now, are you familiar with the SERF board?

9 A Yes.

10 Q What does that entity do?

11 A They, as I understand it, make decisions regarding
12 funding that is available for salmon recovery projects
13 throughout Washington State.

14 Q Do they provide grants?

15 A The SERF board itself approves projects to be funded or
16 granted monies for specific regions.

17 Q Have you been involved in any funding requests directed
18 to the SERF board?

19 A Yes.

20 Q And how many?

21 A I'm not sure. I'd say half a dozen, and the capacity
22 would be mostly as a technical reviewer submitting
23 proposals, not as a lead asking for the money, but more
24 as a supporting technical advisor to provide language.

25 Q Do you recall if any of those half dozen or so

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1 applications involved removal of barrier culverts?

2 A Yes.

3 Q Which -- which ones?

4 A I recall one specifically in -- and there may be others.

5 I recall two now: One in North Kitsap that is related
6 to Carpenter Creek, another in Central Kitsap related to
7 Chico Creek.

8 Q Do you recall who the land owners or who the owners of
9 those culverts were?

10 A I believe both of them are owned by Kitsap County.

11 Q In your dealings with the Department of Transportation
12 -- well, let me ask you this: How would you describe
13 the working relationship between your group -- the
14 fisheries groups, I'll call it -- at the tribe and the
15 Department of Transportation?

16 A State the question again.

17 Q Well, let me ask it this way: Does the group that you
18 manage interact with the State Department of
19 Transportation on a regular basis?

20 A No.

21 Q Do you interact with the State Department of Fish &
22 Wildlife on a regular basis?

23 A Yes.

24 Q How would you characterize the working relationship
25 between your group and the State Department of Fish &

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1

C E R T I F I C A T E

2

STATE OF WASHINGTON)

) SS

3

COUNTY OF KING)

4

I, Jacqueline L. Bellows, a Notary Public in and for
the State of Washington, do hereby certify:

6

That the foregoing deposition was taken before me at
the time and place therein set forth;

8

That the witness was by me first duly sworn to
testify to the truth, the whole truth, and nothing but the
truth; and that the testimony of the witness and all
objections made at the time of the examination were recorded
stenographically by me, and thereafter transcribed under my
direction;

14

That the foregoing transcript is a true record of
the testimony given by the witness and of all objections made
at the time of the examination, to the best of my ability.

17

I further certify that I am in no way related to any
party to this matter nor to any of counsel, nor do I have any
interest in the matter.

20

Witness my hand and seal this 28th day of
April, 2006.

22

23 Jacqueline L. Bellows, Notary
24 Public in and for the State
of Washington, residing at
Arlington. Commission
25 expires October 19, 2006.